

ARTICLE VI - DEFINITIONS

6.1 For the purposes of this act, unless the context clearly indicates a different meaning, the term "shall" indicates a mandatory requirement, and the term "may" indicates a permissive action, and, the term "submission" indicates a complete filing as prescribed by this act.

6.2 Administrative Official: Any department, employee, or advisory, elected, or appointed body which is authorized to administer any provision of the zoning regulation, subdivision regulations, and if delegated, any provision of any housing or building regulation, or any other land use control regulation.

6.3 Application for development: An application for approval of a planned unit development or planned unit residential development for which approval may be required under this act.

6.4 Approving authority: The Union County Planning Commission unless a different agency is specifically designated by Ordinance.

6.5 Common open space: An open space area within or related to a site designated as a development, and designed and intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

6.6 Developer: The legal or beneficial owner or owners of all the land proposed to be included in a planned unit development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

6.7 Filing: Recording with the County Court Clerk of Union County unless a different County Official is designated by Ordinance.

6.8 Final approval: The official action of the Planning Commission taken on a preliminary approved plan after all conditions, engineering plans, and other requirements have been completed or fulfilled, and the required improvements have been installed or guarantees properly posted for their completion, or approval conditioned upon the posting of such guarantee within ninety (90) days of final approval.

6.9 Governing body: The chief legislative body of the area of location of the PUD and Union County.

6.10 Mobile Home: A vehicle used or designed to be used for living or sleeping purposes or both, and which is designed to be equipped with wheels for the purpose of mobility in transporting said unit from place to place.

6.11 Municipality: Any city, borough, town, township, or village.

6.12 Municipal authority: The Union County Planning Commission.

6.13 Open space: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment of, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Such areas may be improved with only those buildings, structures, streets, and off-street parking, and other improvements that are designed to be incidental to the natural openness of the land.

6.14 Plan: The provisions for development of a planned unit development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways, and parking facilities, common open space and public facilities. The phrase provisions of the plan when used in this act shall mean the written and graphic materials referred to in this definition.

6.15 Planned unit development (PUD): An area with a specified minimum contiguous acreage of ten (10) acres or more to be developed as a single entity according to a plan, containing one (1) or more residential clusters or planned unit residential developments and one (1) or more public, quasi-public, commercial, or industrial areas in such ranges or ratios of non-residential uses to residential uses as shall be specified in the Municipal Zoning Ordinance.

6.16 Planned unit residential development: An area with specified minimum contiguous acreage of five (5) acres or more to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriated commercial or public, or quasi-public uses primarily for the benefit of the residential development.

6.17 Planning Commission: The Union County Planning Commission established pursuant to Chapter 100 of the Kentucky Revised Statutes.

6.18 Plat: A map or maps of a subdivision.

6.19 Preliminary approval: The conferral of certain rights pursuant to this act, prior to final approval, after specific elements of a subdivision plan have been agreed upon by the Planning Commission.

6.20 Public open space: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, state or county agency, or other public body for recreational or conversation uses.

6.21 Residential Cluster: An area to be developed as a single entity according to a plan containing residential housing units in which the individual lots have a common or public open space area as an appurtenance.

6.22 Residential unit: Any unit designed for use by one (1) family for living purposes, and being self-contained, and being either in a detached, semi-detached, attached, multi-family or multi-story structure.

6.23 Site Plan: A development plan of one (1) or more lots on which is shown the existing and proposed topography of the lots, the location of all existing and proposed buildings, drives, parking spaces, means of ingress and egress, drainage facilities, landscaping, screening, signs, lighting, and screening devices, and any other information that may be reasonable in order to make an informed determination pursuant to Article II.

6.24 Statement of objectives for planned unit development: A written statement of the goals of the municipality with respect to land use for various purposes, density of population, direction of growth, location and function of streets and other public facilities, and common open space for recreation or visual benefit, or both, and such other factors as the municipality may find relevant in determining whether a planned unit development, or planned unit residential development shall be authorized.